

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

October 13, 2006

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

KAUAI

Amend Prior Board Action of September 8, 2006 (Item D-2),
Forfeiture of General Lease No. S-3960, Hitoshi Miyabara,
Hatsue Miyabara, and Mark Kakimoto, Lessees, Hanapepe, Kauai,
Tax Map Keys: (4) 1-9-2:1 and 20.

BACKGROUND

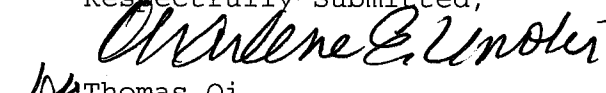
At its meeting of September 8, 2006, the Land Board under agenda Item D-2, approved the forfeiture of General Lease No. S-3960, Hitoshi Miyabara, Hatsue Miyabara, and Mark Kakimoto, Lessees. Lessees owed \$2,122.50 in late rental payments starting February 17, 2005 up to February 16, 2007, including late fees.

The Attorney General's office has informed us the Land Board approval of September 8, 2006 needs to be amended. Under Recommendation 3, our submittal had the incorrect date of August 25, 2006. This date should have been the date of the Land Board meeting. This is the effective date of the termination. The Land Board approved terminating all rights of Lessee and all obligations of the Lessor effective as of September 8, 2006.

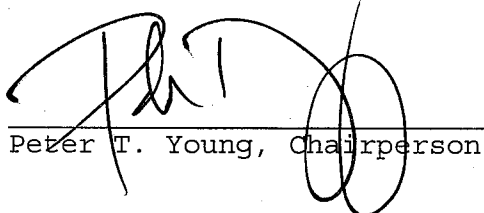
RECOMMENDATION: That the Board:

1. That the Board, amend its prior Board action of September 8, 2006, under agenda Item D-2 by: changing Recommendation 3 "effective as of August 25, 2006" to "effective as of September 8, 2006".
2. All terms and conditions listed in its September 8, 2006 approval to remain the same.

Respectfully Submitted,


Thomas Oi
Kauai District Land Agent

APPROVED FOR SUBMITTAL:


Peter T. Young, Chairperson